

REMARKS

Claims 1-2, 10-12, 15-17, and 20 remain pending in this application. Claims 1, 11, and 16 are independent. In light of the amendments and remarks contained herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1, 2, 11, 12, 16, and 17 under 35 U.S.C. § 103(a) as being unpatentable over *Uryu* (USP 6,542,186) in view of *Matsuo* (USP 5,179,505); and rejected claims 10, 15, and 20 under 35 U.S.C. § 103(a) as being unpatentable over *Uryu* in view of *Matsuo* and further in view of *Kannan et al.* (USP 5,423,045). Applicant respectfully traverses these rejections.

By this Amendment, Applicant has amended the independent claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejections, but merely to timely advance prosecution of the present invention.

Examiner Interview

Applicant wishes to thank the Examiner for the interview conducted on October 28, 2004. During the interview, Applicant's representative presented arguments that the Examiner's reliance on the combination of the teachings of *Uryu* and *Matsuo* were improper because combining the teachings of *Matsuo* with the disclosure of

Uryu would render the device of *Uryu* inoperable for its intended purpose. The Examiner responded that Fig. 9 of *Uryu* discloses that the card cover can properly be opened during image processing. Applicant respectfully submits the enclosed comments and amendments in accordance with the discussions had during the Interview.

Prior Art Rejections

In support of the Examiner's rejection of claim 1, the Examiner admits that *Uryu* fails to disclose a controller for performing suspension of a power supply from the power supply part when the detector detects that the lid is opened while the master switch is on, and for performing resumption of the power supply from the power supply part when the detector detects that the lid is closed during the suspension of the power supply, wherein when the detector detects that the lid is opened while the master switch is turned on, the controller suspends the power supply from the power supply part to at least the external storage medium while maintaining the power supply from the power supply part to the detector. The Examiner relies on the teachings of *Matsuo* to cure the deficiencies of the teachings of *Uryu*. However, Applicant respectfully disagrees with the Examiner's assertions that the teachings of *Matsuo* cures the deficiencies of the teachings of *Uryu*.

The disclosure of *Matsuo* is directed to an ejector for a memory card. Specifically, at col. 4, lines 52-63, *Matsuo* teaches as follows:

A card detecting switch 18, normally in an ON state, is mounted below the connector 17, the switch 18 being turned OFF only when the memory card 3 is coupled to the connector 17. The card detecting switch 18 turns ON a main switch (not shown) when it is in an OFF state, to thereby power circuit components of the camera. In this manner, powering the electronic still camera 2 can be automatically executed. In addition, an unnecessary consumption of power can be prevented when the memory card 3 is still not loaded and taking a picture is impossible.

As can be seen from the above citation, *Matsuo* discloses that switch 18 detects whether the memory card is inserted or not. This is contrary to the Examiner's assertions that connector 17 detects whether a memory card is inserted or not. Further, *Matsuo* only discloses turning on/off the power supply in conjunction with the inserting/pulling out of the memory card. There is no disclosure that is directed to suspending power to any portion of the device. *Matsuo* merely discloses turning on/off the power to the device.

As such, it is respectfully submitted that *Matsuo* fails to cure the deficiencies of the teachings of *Uryu*, assuming these references are combinable, which Applicant does not admit. Thus, neither of the references, either alone or in combination, teach nor suggest suspending power as recited in the claims. As such, it is respectfully requested that, as the Examiner has failed to

provide references that teach or suggest all of the claim elements, the outstanding rejection be withdrawn.

In addition to the above argument, Applicant maintains that these references are not properly combinable. During the interview, the Examiner relied upon the teachings of Fig. 9 to disclose that in accordance with the proposed combination, power can be cut to the storage device upon opening of the lid. Applicant respectfully disagrees with the Examiner's assertions.

Although *Uryu* anticipates the situation at col. 8, lines 34-36 where should the card cover be opened during the image processing, it may be possible that the image processing is interrupted and the image data is not written in the card, this is the exact problem that *Uryu* is trying to solve. In the same column, lines 60-66, *Uryu* teaches that according to the present invention of *Uryu*, after writing the image data of a block into the card is started, if the card cover being opened is detected, it may be possible to warn the user to change his mind so as to not pull out the card by making a buzzer sound. It appears the Examiner is taking a statement from the disclosure out of context from the teachings of the disclosure. Although *Uryu* identifies a problem (as recited in lines 34-36), this does not mean that *Uryu* accepts the results of the problem. As clearly noted in lines 60-66, *Uryu* solves this problem in accordance with the rest of the disclosure of the *Uryu* patent.

Based upon the above teachings, by making the purported combination as asserted by the Examiner, the Uryu device would render the apparatus inoperative for its intended purpose, i.e., to avoid data loss due to inadvertent removal of the memory card. Further, the proposed combination would change the principle operation of the prior art being modified, namely providing the ability to warn the user of potential data loss by cutting power to the external storage medium prior to completion of the writing to the memory card. Should the power be cut to the storage portion prior to completion of the writing process, data would be lost. This is the exact problem that Uryu is trying to solve. As such, the teachings of the Matsuo and Uryu references are not sufficient to render the pending claim *prima facie* obvious. See *In re Ratti*, 270 F.2d 810, 123 USPQ 439 (CCPA 1959).

Based upon all the reasons set forth above, it is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2 and 10 are allowable for the reasons set forth above with regard to claim 1 at least based upon their dependency on claim 1.

It is further respectfully submitted that claim 11 contains elements similar to those discussed above with regard to claim 1, and thus claim 11, together with claims dependent thereon, are allowable for the reasons set forth above with regard to claim 1.

It is further respectfully submitted that claim 16 contains elements similar to those discussed above with regard to claim 1, and thus claim 16, together with claims dependent thereon, are allowable for the reasons set forth above with regard to claim 1.

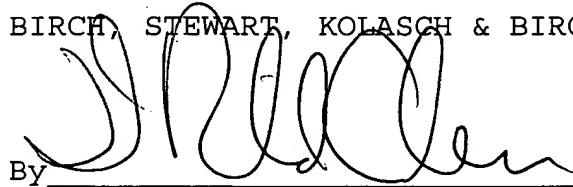
Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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